IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5436 OF 2006

Fakked B. Ichake ..... Petitioner
V/s
Metal Art .... Respondent.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.S.A.Sawant, Adv. for the petitioner.

Mr.Mr.Neel Helekar with Ms. Sanika Deshpande i/by M/s.Haresh Mehta & respondent.

Co. for

CORAM: A.P.DESHPANDE, J.
14.2.2007

PC:

A judgment and order passed by the Member, Industrial Court, Pune on 28.2.2006 is challenged by filing the present petition by the concerned employee. A complaint was filed claiming 100% lay off compensation for the period from 23.5.99 to 30.4.2002. Record reveals that 50%

lay off compensation amounting to Rs.50,171.78 was paid prior to filing of the complaint. According to the respondent the balance amount of 50% of lay off compensation was paid during the pendency of complaint receipts whereof are filed at Exhibits 14, 15 and 19. It does appear that in view of the payment made towards lay off compensation during pendency of the complaint the Industrial Court has not passed any order in regard to the balance of lay off compensation. In this view of the matter I do not find any merit in writ petition and same deserves to be dismissed. However in case respondent has not paid the balance amount of 50% of lay off compensation during pendency of the complaint it shall be open to the petitioner to approach the Industrial Court by appropriate application in this regard.

Writ petition dismissed.

14.2.07